

Wastewater Treatment Fund and Research Council;
discharge permits for Eagle Mountain Lake
(SB 323 by Montford/T. Smith)

DIGEST: SB 323 would have created an On-Site Wastewater Treatment Research Fund in the Treasury, to be funded by a \$10 fee on each on-site wastewater treatment permit issued by counties or river authorities. The bill also would have created a research council consisting of 11 members appointed by the governor and staffed by the Texas Water Commission. The council would have overseen the awarding of competitive grants for applied research into wastewater treatment.

SB 323 was amended by the House to require the Texas Water Commission to impose more stringent conditions on permits for effluent discharges in the Eagle Mountain Lake vicinity in Tarrant County. Any permit issued, amended or renewed after Sept. 1, 1987 would have had to provide that: the discharge must not degrade existing water quality; the waste treatment facility must use the most advanced and reliable waste treatment technology available, regardless of cost; and the waste treatment plant effluent must be free of all viruses and must not exceed certain specified levels of biochemical oxygen demand, suspended solids, nitrogen and phosphorous.

GOVERNOR'S
REASON
FOR VETO:

The governor said the amendment to SB 323 would have subjected wastewater discharge permit holders in the Eagle Mountain Lake vicinity to "unrealistic water quality standards." SB 323 as amended would represent an improper preemption by the Legislature of the Texas Water Commission's authority to determine water quality standards for the wastewater discharge permits it issues.

AUTHOR'S
VIEW:

The governor did not veto the merits of SB 323, he essentially vetoed the House amendment to the bill, according to Sen. John Montford.

NOTES:

The House Research Organization digest of SB 323 appeared in Part Two of the May 21, 1987 Daily Floor Report. The HRO analysis of HB 2286 by C. Evans, setting water discharge permit standards for Eagle Mountain Lake, appeared in Part Two of the May 25, 1987 Daily Floor Report.